App F IX—4

Previous References

1956 57
CT

File o 23-53
Serial Nos 75, 87, 100
146, 154, 155
161

Later References

MYSORE GOVERNMENT SECRETARIAT

Serial Nos Seven

232
E

Part B for —Aug 56

SUBJECT

Resignation of the Corporation Advocate —

WD 05150—GPB—35 000—18 10 56

Serial No

Letter no A3-PR 1162/55-56 dated 26/9/55 from the Commissioner, Corporation of the City of Bangalore regarding the acceptance of the resignation of the corporation Advocate, City Area.

1) Submitted for perusal
No further action appears called for.
Ms 24/10

2) The Commissioner has enclosed a list showing the amount misappropriated by the Corporation Advocate and the period during which he had not remitted the amount to the treasury. In some cases the delay is 8-9 months vide Sl Nos 14 15 16 & 17. I think this is a very serious matter. Because he was a corporation Advocate more resignation has been accepted. Does it for perusal

3) Recently, in a meeting in which the Comptroller Financial Secretary and Law Secy were present, it was decided that misappropriation of Public funds should be severely dealt with and that the persons liable should be prosecuted vide copy of the G/O enclosed. It is not meant that the poor officials must be prosecuted and that important persons are warned & let off. Does it for perusal & orders

(Sd/- [illegible])

4)

Many
pl move a copy of the G/O

11/10/55
28/10/55
Second instructions from the Dept Secy to furnish information in the enclosed Proforma

Yes
Proforma Sheet sent

Action against Sri Narayan Advocate for alleged professional misconduct 6814/Law

12) As the resignation of Sri Narayanan to the post of the Corporation Advocate has been accepted disciplinary action cannot be taken by the Corporation directly. The feasibility of referring the matter regarding professional misconduct to the Bar Council has to be considered.

14) There has been undue delay by Sri Narayanan as Corporation Advocate in remitting to the treasury the amounts received from the Courts on behalf of the Corporation and the Advocate has also accepted that there was delay and has stated that it was accidental

15) According to Rule 5(1) of the Rules framed by the Mysore Bar Council under section 15(a) of the Bar Council Act, 1926, "where any amount is received from Court or from other parties on behalf of the client, the fact of such receipt must be intimated to the client asearly as possible ' Rule 7 framed in this behalf reads as follows -

> 'Willful omission by an Advocate to keep accounts as required by the Rules will be a relevant fact for consideration in a case of an enquiry into the misconduct alleged against him "

16) The details regarding the remittances of the amounts received from courts to the Treasury have been furnished by Sri Narayanan to the Corporation after protracted correspondence and there has been undue delay in remitting the amount to the treasury.

17) The matter may be referred to the Mysore Bar Council for due enquiry into the professional misconduct of the said Advocate

16/11/84 16/11 18) Perhaps the Corporation with (Law Secy)

6814/Law

Action against Sri Narayan Advocate for alleged misconduct

have to make the complaint under Sec 10(2)(a) of the Indian Bar Councils Act (Act 37 of 1926) U.O.No 366/55-56 dt 19/1/56 for incident to due delegation, for the advice

19.1.56

U.O.T 444/55-58 dt 21-2-58

19) The procedure for taking action against an advocate for professional misconduct can be initiated by a complaint made by the Corporation to the High Court

20) As I happen to be the chairman of the Bar Council, I do not wish to express any opinion on merits on this file

Sd Ethiyaleyathan
Advocate General
20/2/56

21/2/56

21) The file may be returned referred to the Municipal Branch with reference to para 19. The facts of the case have been noted at para 13 to 17 supra.

21/2/56 (Secretary / Law Secy)

Secretary (Law)
5-3-56

PTO

Action against Sri Narayan, Advocate for alleged professional misconduct

6814/Law 7327/m2.

23) If approved, action will be taken as at para (19) supra

Sub ~~draft letter~~ for orders - refee - paras (5), (13) to (20) supra

Sri 19/3/57.

24) In the light of the opinion of the Advocate general in para 19, the point for consideration is whether the Commissioners may be requested to place the subject again before the corporation for such action as they deem necessary

Sri 20/3

25) The opinion of the Advocate General as stated at Para 19 will be communicated to the Comr (The file has not been perused by the Hon Minister even once)

Secy Edn & Sry) 8/4

26) The Commissioner will be asked to proceed as under para 19 supra. 12/5

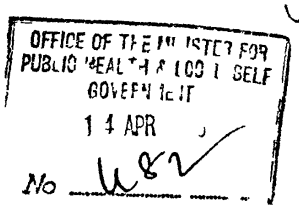
12/4/57

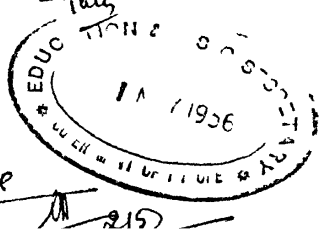
Minister (Edn)

27) 28/4/57

1556

215





Action request Advocate Chittaranjan -
for alleged professional misconduct

7387/mc 1737/mc

---

28) Draft letter to Com cc B is put up
2/5/56
Mn 2/5

29) Issue
1215

L 3315/CM 2355-146 dated 17-5-56
Com cc-B
Informs as above

Dfp
18/5/56
Mn

Letter No A3 Pr 1162/55 56 dated 28/29 5 56 from
the Com cc B requesting for the connected
records

30) Draft sending the records is put up
14/6
Mn 14/6

31) Issue
1516

L 5031/CM 23-55 155 dated 20.6.56
Com cc B
Sends the records as called for

Dfp
21/6/56

petition dated 29.6.56 from Sri K Narasimha Advocate
Bangalore requesting for stay in the matter and also
for interview to explain in person

32) Orders of the Hon L S-J & P.H on the
petition L S-J Seen Please examine and
put up to me"
Dated 7.7.56
Dated 29.6.56

33) Kind reference is invited to paras (19) to (27) supra
Based on the opinion of the Advocate General as
at para (19) above, orders have been communicated
to the Com cc B stating that the proceedings for
taking action against an advocate for professional
misconduct can be initiated by a complaint
made by the Coopn to the High Court and he
has been requested to proceed accordingly - vide
Letter No L 3315/CM 2355-146 dated 17.5.56

Advocate Corpn Advocate Sri K Narayana

1737/2006/pil

---

34) Hence This present petition

35) The applicants states that during his time as corpn Advocate one clerk Sri M S Lakshminarasimha Sastry delayed in remitting the certain amounts collected for the Vakalats fees for the Corporation, that later when it was discovered, the fact was reported to the Comm C C B and the change of the clerk was asked, and that all the amount so remained unremitted, has been remitted fully, Hen also states that his conduct was bonafide and thereafter he resigned the post

36) He requests that a stay order in the matter may be issued as also an opportunity may be given to explain in person

37) Subs for orders with reference to para (32) supra

4/7/06

38) The Comm, C C B was informed as informed by the Advocate general in para 19 of the writs and he was requested to proceed accordingly, as per orders in paras 26 and 27 of the writs Now Sri Narayana represents that a stay order may be issued and records called for and further examined in view of what he has stated. In these orders whether the records may be called for in the first instance As regards issue of orders to stay further proceedings, this is for Hon'ble consideration — Ref para 32

M 6/7

PTO

Action against Corporation Advocate
Sri K Narayana
1737 / 2606

39) The Corpn has already been addressed and the matter is before the Corpn. When once, we have addressed the Corpn, it is not desirable nor reasonable to ask the Corpn to stop proceeding in the matter. They may mistake the bonafides of the Govt in suddenly calling back the records. The money embezzled was Corpn property and the Corpn has every right to express their opinion. Therefore it is better to wait till the Corpn passes a Resolution. This is not a case in which a stay order has to be issued, because there is no order passed by any Judl authority. If there had been an order & if there were sufficient grounds to issue a stay order, then Govt could have issued a stay order. But now, there is no order to be stayed. Law Secy may have to be consulted whether Govt can interfere at this stage.

EDUCATION & L S G SECRETARIAT
Rc
13 JUL 1956
GOVERNMENT OF KERALA

12/7

40) Secy Education
Law Secy
for 6 or
14/7/56

41) The petitioner may be requested to indicate

2606/MA/54955/III — Petition of Sri K Narayana Reddy Advocate
the provision of the Act, under which Govt
can take action, now, as suggested by him
Secy L S G) MA
14/7

42)
14/7/56

Minister Secy

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
14 JUL 56
No. 1707

43) Write to the Commissioner,
Bangalore Corporation and ascertain
from him whether the petitioners request
may be re-considered + sent to Govt for appl

14/7/56

46

17/7/56

ATION & L S G SECRETARIAT
No. ---
16 JUL 1956
GOVERNMENT

44) draft letter As Comrs B up/put up/appl 17/7/56

45) Secy
18/7

24/7/56

27529/EM 23-55-161 dated 31-7-56
Comrs B
Secy A
Calls for a report

Letter no A3/PR 1162/55 56 dated 11/9/56 from the
Comrs B in the matter
The reply received from the Comrs B and the
corporation resolution dated 14-8-56 stating that as corporation pages 20 & 21
has already taken a decision by accepting Sri K Narayana's
resignation and no further action is called for, the
matter may be dropped and file put up for perusal

Petition of Sri K Narayana, ~~Advocate~~, Ex Cl Advocate 2606/ml 4955/ml —

Subm for kind perusal and orders with reference to paras (32) to (45) above

24/9

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT
31 OCT
No. 2891

EDUCATION & L S G SECRETARY
No 2615
11 OCT 1956
GOVERNMENT OF MYSORE

Refer minutes d 14/7/56 ar para 43 No action is called for as the Corpn has accepted Sri Narayana's expln & decided the disputed matter

3/10/56

Minister (L S G)

10/10/56

17/10/16

12/10/56

CORPORATION OF THE CITY OF BANGALORE

No A 3-P R 1162/55-56 Enclo 2 4571 CORPORATION OFFICES,
30 SEP 1955 BANGALORE
MUNICIPAL BRANCH Dated 28th September 1955

FROM

D R CHENNARUDRAIYA B A M Sc
COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,
BANGALORE

To

The Secretary to the Govt , of Mysore,
Education and Local Self-Government Departments,
Bangalore

CH 23-55-75

SIR,

I enclose a copy of the Resolution of the Corporation dated 31st August 1955 accepting the resignation of the Corporation Advocate, City Area, for kind information of the Government In this connection, it is pointed out that as there was considerable delay in remittance of the decree amount and Court costs into the Corporation Treasury, as will be seen from the enclosed statement, his explanation was called for He expressed regret for the delay As a sequence to this, he tendered his resignation which was accepted by the Corporation as stated above

Yours faithfully,

(V P DEENADAYALU NAIDU)
MAYOR

(D R CHENNARUDRAIYA)
COMMISSIONER

SVR)

RESOLUTION PASSED AT THE ORDINARY GENERAL MEETING OF THE CORPORATION OF THE CITY OF BANGALORE, HELD ON THE 31-8-1955

(2)

- -

Urgent Additional Subject No 6 - Letter of resignation from Sri K Narayana, B A , LL B , Corporation Advocate, City Area, tendering resignation to his office as Corporation Advocate, with effect from 1-9-1955 and Commissioner's note dated 30th August 1955 that the Corporation Advocate (Civil Area) be placed in charge of the work of the City Area also till permanent arrangements are made to fill up the vacancy.

Sri D R Shivappa moved the following resolution -

"Resolved that the resignation tendered by Sri K. Narayana, B.A.,LL.B , to his Office as Corporation Advocate, City Area, with effect from 1-9-1955, be accepted "

"Resolved further that the Commissioner's note dated 30th August 1955 that the Corporation Advocate (Civil Area) be placed in charge of the work of the City Area also till permanent arrangements are made to fill up the vacancy, be approved "

Sri P S. K Naidu seconded the resolution and it was passed

(SD) V P DEENADAYALU NAIDU,
MAYOR

" C O P Y "

FOR COMMISSIONER,
BANGALORE

	O S 300/48-49 -do- 187/54	-do-	"	Vs	Rangamma	33-2-0			23-12-54	33-2-0	-	31-3-55	104	-do-	0-3-8
						16-14-0	-		-do-	-	16-14-0	"	103	-do-	0-3-8
11	O S 48-49. Ex. 1358/53 -do-	-do-	"	Vs	-do-	230-3-3	-	-	16-1-55	230-3-3	-	29-3-55	13	-do-	0-2-1
						149-12-9	-		-do-	-	149-12-9	-do-	16	-do-	0-2-1
12.	O.S 8/49-50 -do-	-do-	"	Vs	Lakshmi-Devamma	95-0-0	-	-	18-12-54	95-0-0	-	9-4-55	75	-do-	0-3-2
						41- 4-0	-		-do-	-	41- 4-0	-do-	76	-do-	0-3-2
13	O S.549/47-48 -do- Ex 312/51-52.	-do-	"	Vs.	Chikka-Muniswamappa	1087-10-6	-	19-8-52	9-3-54	1087-10-6	-	31-3-55.	102	-do-	1-0-22
						159-3-0	11-12-53	9-3-54	-	159-3-0	-do-	110	-do-	"	
14.	O S.382/53-54 -do-	-do-	"	Vs	Syed Baker	31-0-0	26-2-54	27-3-54.	-	31-0-0	11-11-54	57	-do-	0-7-14	
15	O S 497/48-49 -do- Ex 83/52-53.	-do-	"	Vs	K L. Gundu Rao	40-0-0		31-8-54	-	40-0-0	2-6-55	56	-do-	0-9-1	
16.	L A.Mis 131/45-46.	Dist Court	L.A Case	Chanchamma -Vs- L A O.		5977-6-1	--	--	28-9-54	5977-6-1.	-	25-5-55	92	-do-	0-7-27
17.	L A Mis 183/45-46. Ex 147/54.	-do-	-do-	L A O	-Vs-Abdul Wahab.	200-0-0	--	25-11-54	13-1-55)						
						200-0-0	--	3-1-55	25-1-55)	400-0-0	-	9-4-55.	77	-do-	0-2-26

Delay caused in the remittance of the amount is purely accidental and the irregularity is deeply regretted

No amount has been received except the above

(SD) K NARAYANA,
CORPORATION ADVOCATE, CITY AREA

" C O P Y "

N Siddalingappa
FOR COMMISSIONER,
CORPORATION OF BANGALORE

STATEMENT SHOWING THE NUMBER OF SUIT AND COURT AND THE AMOUNT REMITTED TO THE TREASURY BY THE CORPORATION ADVOCATE,

CITY AREA

Sl. No.	No of the case.	Name of the Court.	Parti- culars	Name of the Party	Payment into Court: Decree amount	Payment into Court: Costs	Payment into Court: Date	Date of receipt of the amount by the Advocate	Credit into Treasury: Decree amount	Credit into Treasury: Cost	Credit into Treasury: Date	Ch No.	Remarks	Delay
1.	2.	3.	4.	5.	6	7	8	9	10	11	12	13	14	15
1.	O S 23/44-45 Ex 955/54	I Munsiff Court	House Tax	B C.M Vs Anna- purnamma	50-0-0	-	-	1-4-55	50-0-0	-	x9-4-55	71	Party paid to Advocate	Y M.D 0-0-8
2	O S 27/44-45 Ex 953/54.	-do-	-do-	" Vs -do-	50-0-0	-	-	-do-	50-0-0	-	"	74	-do-	0-0-8
3	O.S.29/44-45 Ex 954/54	-do-	-do-	" Vs -do-	50-0-0	-	-	-do-	50-0-0	-	"	67	-do-	0-0-8
4.	O S.30/44-45 Ex 185/54	-do-	-do-	" Vs -do-	50-0-0	-	-	-do-	50-0-0	-	"	73	-do-	0-0-8
5.	O.S.24/44-45 Ex.185/54	-do-	-do-	" Vs -do-	50-0-0	-	-	-do-	50-0-0	-	" "	72	-do-	0-0-8
6.	O.S.244/48-49 Ex 852/53	-do-	-do-	" Vs Rangamma	150-0-0)	-	-	3-3-55	150-0-0	-	29-3-55	15)	-do-	0-0-26
					[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	-	[illegible]	[illegible]	-do-	--
7.	O S.562/48-49 Ex 837/53.	-do-	-do-	" Vs K S Subba Rao	[illegible]	-	-	[illegible]	[illegible]	-	[illegible]	[illegible]	-do-	[illegible]
					19-2-0	-	-	26-3-55	19-2-0	-	29-3-55	14	-do-	0-0-3
						10-14-0	-	-do-	--	10-14-0	"	17	-do-	0-03
8.	O S 14/50-51 Ex 1356/53.	-do-	-do-	" Vs Chikkamuni-swamappa	--	86- 3-0	-	25-3-55	--	86- 3-0	9-4-55	68	-do-	0-0-15
9.	O S 300/48-49 Ex .187/54.	-do-	-do-	" Vs Solur Thimmiah.	55-0-0	-	-	5-3-55	55-0-0	-	"	69	-do-	0-1-5
					--	55- 0-0	-	"	--	55- 0-0	"	70	-do-	0-1-5

M G S App F G 3]

MYSORE GOVERNMENT

SECRETARIAT

(Continuation sheet draft form)

4571/mk

(5)

CR-23-55-807

D O No L 11462

D 16-12-55

Dear Sir,

Sub Resignation of the Corporation Engineer
Advocate

Ref your letter no H3 P R 1162/55 SC dated 26-9-55

I am desired to request you kindly to forward the entire records relating to the above subject immediately

Y. S

Secy
Bord Corp

To, the Commissioner (C & B)
Bangalore

WD 0258—GPB—PZS-1 20 000—1 7 5.

D R Chennarudraiya, B A ,M Sc ,
~~Xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~
COMMISSIONER

(6)

MYSORE GOVERNMENT 7387 4 JAN 1956 MUNICIPAL BRANCH

CORPORATION OFFICES,
BANGALORE

D O No A3/P R 1162/55-56
Encl File

Dated 30th December 1955

CM 23-55-400

Dear Sir,

Subject - Resignation of the Corporation Advocate
Reference - Correspondence ending with your D O letter No L 11462/C M 23-55-87 dated 16-12-55

With reference to your D O letter quoted above I enclose herewith the entire records on the above subject, as desired It may be returned early when done with

Yours sincerely,

DR Chennarudraiya

To
Shri V Hanumanthappa, B A ,
(Hons),
Assistant Secretary to
Government Municipal Branch

VKR 30/12/-

(7)

Copy of letter No 171/C A 18th June 1955, from the Auditor, Corporation of the City of Bangalore, Bangalore, to the Commissioner Corporation of the City of Bangalore, Bangalore

---

Subject - Advocates' Fees and other Decree Amounts due to the Corporation from the parties as per the Several Decrees of the Courts

I write to invite your kind reference to my D O letter No 1025/C A dated 23rd March 1955 and to state that Statements of amounts due to be recovered as per several decrees of Courts are received from the Davocate, Civil Area and the statement for City Area is still not received On verification of the statement of Civil Area received it is observed that the information regarding the cheques received by the Corporation Advocate from the parties through the Court and credited to the Corporation Funds is not furnished Hence the necessary statements of cheques received and credited to the Corporation funds may kindly be got prepared by both the Advocates and sent to the Audit Office for verification Also, as seen from the Statement received from the Advocate, Civil Area, a number of amounts are remaining unrecovered even from 1951-52 and the steps taken to recover these amounts are not made clear I therefore request you kindly to direct the Corporation Advocates to take suitable and prompt steps for the recovery of the amounts due from the private parties as otherwise they may prove irrecoverable and result in loss to the Corporation The Corporation Advocate for City Area may kindly be directed to forward the statement called for immediately with full particulars

The matter may kindly be treated as urgent as any further delay means further loss to the Corporation

---

No A3/P R 31/55-56

Copy forwarded to the Corporation Advocate(Civil Station) incontinuation of this Office No A3/P R 31 dated 24-3-55 regarding (A) the information may please be furnished in the following proforma

Case No and name of Court	Particulars of the case	Date of payment of decree amount costs etc into the Court	Date of receipt of the amount by the Advocate from the Court	Date of credit into the Treasury with challan No
1	2	3	4	5

Cause of delay if any with the Treasury

6

P T O

Regarding (B) A detailed report may be furnished immediately why a number of amounts are remaining unreceived from 1951-52 and what steps have been taken for the recovery of the amounts

Sd/- N Siddalingappa,
For Commissioner,
24/6/55

" C O P Y "

VKR 30/12/55

(9)

Resolution passed at the Ordinary General Meeting of the Corporation of the City of Bangalore, held on the 31st August 1955

Urgent Additional Subject No 6 - letter of resignation from Sri K Narayana, B A , LL B , Corporation Advocate, City Area, tendering resignation to his Office, as Corporation Advocate, with effect from 1-9-1955 and Commissioner's note dated 30th August 1955 that the Corporation Advocate (Civil Area) Be placed incharge of the work of the City Are also till permanent arrangements are made to fill up the vacancy

Sri D R Shivappa moved the following resolution -

"Resolved that the resignation tendered by Sri K. Narayana, B A , LL B , to his office as Corporation Advocate, City Area, with effect from 1-9-1955, be accepted "

"Resolved further that the Commissioner's note dated 30th August 1955 that the Corporation Advocate (Civil Area) be placed in charge of the work of the City area also till permanent arrangements are made to fill up the vacancy, be approved "

Sri P S K Naidu seconded the resolution and it was passed

Sd/- V P Deenadaylau Naidu,

MAYOR

A/3 for necessayr action

Sd/- x x

For Commissioner

1/9/55

A3/P R 1162/55-56
Enc 2 files

Copy for arded to the Accounts Section for taking necessary action to ~~fikx~~ fill up the vacancy The ten files received from the Accounts section are also herewith returned

Sd/- N Siddalingappa,

FOR COMMISSIONER

" C O P Y ",

VKR 30/12/55

Appendix F G —1]

SUBJECT Action against Corporation Advocate Sri M Narayana ~~Resignation of the Corpn Advocate~~ (LO)

Diary No of letter replied to 7387/ml

Section CM

File No 23-55

Serial No 146

Mysore Government Secretariat

( )

the *195*

No L 3315 D 17-5-52

To

The Commr of Municipal Corpn

Sir

With reference to the correspondence ending with your letter No A 3/PR 1162/55-5 dated 30-12-55 on the above subject, I am directed to state that the proceedings for taking action against an advocate for professional misconduct can be initiated by a complaint made by the Corpn. to the High Court. Kindly submit proposals and to request you to take action accordingly

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Yours faithfully
Sd/-
for Secy to Govt
Edn (2) 15

WD 0257—GPB—P Z S —1,20 000—6 6 55

2/5/52

D Rd 10/4/56 Dy. 15522 22/5 (1) CM-23-55-154

CORPORATION OF THE CITY OF BANGALORE

No A3 Pr.1162/55-56 7587

MYSORE 1737 31 MAY 1956 MUNICIPAL B

CORPORATION OFFICES,
BANGALORE

Dated 28th May 1956

29

FROM

THE COMMISSIONER,
CORPORATION OF BANGALORE,
BANGALORE

EDUCATION & L S G D

To

The Secretary to the Government of Mysore,
Education and L.S.G. Departments,
Bangalore.

29/5

SIR,

Subject Action against Corporation Advocate Sri K Narayana

Ref: Correspondence ending with your letter No.L 3315/C M 23-55-146 dated 17-5-1956.

With reference to the correspondence quoted above, I request that the connected file sent under this office even number dated 30-12-1955 may kindly be returned for needful action

Yours faithfully,

D R Chennarudraiya

(D R Chennarudraiya,)
COMMISSIONER

TNL/-

28 5 56

G S App F G 3]

MYSORE GOVERNMENT

SECRETARIAT

(Continuation sheet draft form)

L 5031 (12) B 20.6.52

CT 23-55-155

B 2

Subj Action against corpn Advocate

L K Narayana

To

The Commr of B Hqrs the Mayor

Sir

With reference to your letter No

A3 Pr 11 62/55-56 dated 28/29 5 56

on the above subject I am directed

to send herewith the connected records

of your office

By order

Jr Secy to Govt

& Secy to Govt Depts

14/6

W1 0508 (PB-179 1 20 000—1 7 55

(13)

L 5-0 31/Cm 23 55-155; B 20-6-56

The

Education & L.S G.Departments.

To

The Commissioner,
Corporation of the City of Bangalore,
(thro' the Mayor)

Sir,

Subject - Action against Corporation Advocate
Sri K.Narayana.

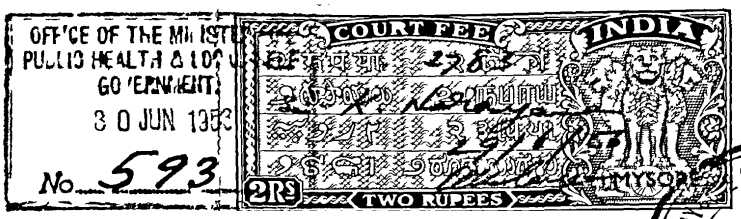
With reference to your letter No.A3.Pr.1162/55-56 dated 28/29-5-1956 on the above subject, I am directed to send herewith the connected records of your office.

Yours faithfully,

(M.A.Meccai)
For Secretary to Government,
Education & L.S G.Departments.

HGN.2/16.6.

CT.23-56-157

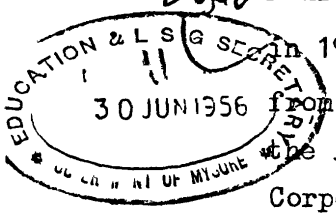


BEFORE THE HON'BLE THE MINISTER FOR LOCAL SELF-GOVERNMENT
MYSORE, BANGALORE

Appeal Petition of /1956

Appellant K. Narayana, B A , LL B
Advocate,
214, Cottonpet, Bangalore City

LSG Sec
Please examine & put up to me
JR
29 6 56



The Appellant above named begs to prefer this representation before the Government for its kind consideration and favourable orders

1 That the Appellant was elected by the Bangalore Municipal Corporation as its Legal Adviser for the City area in 1953 and in the said capacity he served the Corporation from January 1954 to the ~~first~~ 30th September 1955. Further the Appellant rendered service to the Corporation as a Corporator for a period of six years prior to the above appointment

2 The appellant may respectfully submit that his work as the Corporation Advocate throughout the said period was marked by high sense of duty and efficiency in every work that was entrusted to him by the Commissioner of the Corporation

3 The Appellant further submits that in the course of his duties as the Corporation Advocate and as one who had filed vakalath for the Corporation in every case pending, he had the authority to collect the amounts due to the Corporation from the parties against whom action had been taken and similarly remit amounts to the courts on behalf of the Corporation In the said work he had the services of a Corporation Clerk by name Sri M S Lakshminarasimha Sastry.

4 During the period of the Appellant's service as Corporation Advocate several amounts were received by him

to be credited to the Corporation Treasury and similarly on behalf of the Appellant himself the above mentioned clerk of his also received amounts in courts. Though the clerk's bonafides were discovered on a later date to be fradulant in respect of certain amounts collected by him and not remitted to the Corporation treasury, still the Appellant was legally responsible to the Corporation and thus every pie collected both by the appellant and his clerk was remitted to the Corporation treasury from time to time. In the course of his duties and on account of utter inefficiency and questionable behaviour of the clerk, the remittances to the Corporation treasury could not be made immediately after the collections were made in a ~~few~~ few B/ of the cases and slight delay in respect of ~~a few items~~ Them B/ was Thus B/ caused.

5. The delay in the remittances mentioned above was voluntarily brought to the notice of the then Commissioner of the Corporation by the Appellant and sought for a change of the clerk The Appellant also frankly and in all honesty submitted a statement to the Commissioner stating therein that the delay in the remittances was purely accidental and the same was deeply regretted Thus the Appellant's conduct was absolutely bonafide though not strictly regular in the tenhnical sense of the term It may also be noted here for kind information of the Government that every pie due to the ~~Government~~ Corporation B/ and collected by or on behalf of the Appellant has been remitted to the Corporation and as far as the situation stood in May 1955, the accounts were brought uptodate ~~and~~ No degree of irregularity was allowed to creep in by the Appellant thereafter till the last date of his stay in the Corporation as the Corporation Advocate

(16)

6. As the matter stood as above, the Appellant learnt that a few of the Councillors took a very serious view of this matter and obviously felt dis-satisfied about me In order to satisfy such friends who were so displeased and to clear my conduct also, I tendered my resignation to the Commissioner which was accepted by the Corporation unconditionally on or about the 30th September 1955 and thereafter elected another gentleman to the said post

7 The Appellant now learns that in the course of this interval of about ten months the Government have been pleased to observe that the Corporation may initiate proceedings against the Appellant for alleged professional misconduct in the High Court of Mysore It need hardly be stated here that the above observation of the Government on this subject have been made without an opportunity being given to the Appellant to explain his position and that the Appellant has not been heard at all by the Government Having regard to the very serious implications to the bonafides and to the reputation of the Appellant who has been both a public worker and a practising advocate, the Appellant most respectfully submits, that the observations reported to have been made by the Government have not been fair to the Appellant and if allowed to remain unchanged the Appellant would be put to great injury and incalculable harrasment and mental torture

Under the above circumstances the Appellant humbly prays that the Hon'ble Government may be pleased to send for the connected records from the Bangalore Municipal Corporation immediately and stay further proceedings

P T O.

17)

arising out of the observations of the Government and to dispose of this matter on merits after affording the Appellant an opportunity to explain his position to the Government This procedure, the Appellant submits, is in keeping with natural justice and also in fairness to the Appellant himself whose record of service has been without any blemish

Bangalore)
29th June 1956)

APPELLANT

Appendix F G —1J

(181)

SUBJECT Action against Corpn Advocate Sri K Narayan

Diary No of letter replied to 2606/mc

Section CH

File No 23-55

Serial No 161

Mysore Government Secretariat

( )

the *195*

No L 7579/A1 D 31-7-56

To

The Comm of B Tmr i the Mayor

Date of issue

Signed by

Sir

In continuation of this office letter No L 5031/C in 23-55 155 dated 20 6 56 on the above subject, I am directed to forward herewith a copy of the petition dated 29 6 56 of Sri K Narayana Advocate Bangalore requesting for stay order in the matter and to request you kindly to state whether the petitioners request may be reconsidered and sent to Govt for approval

List of enclosures

Copied by

Examined by

24/7/56

for Secy to Govt Edn & Sports

(19)

NL 7579/A1 CM. 23-55-161

D 31-7-56.

The
Education & L S G.Departments.

The Commissioner,
Corporation of the City of Bangalore,
(through the Mayor)

Sir,

Subject - Action against Corporation Advocate
Sri K Narayana

In continuation of this office letter No.I.5031/C.M. 23-55-155 dated 20-6-1956 on the above subject, I am directed to forward herewith a copy of the petition dated 29-6-1956 from Sri K.Narayana, Advocate, Bangalore and to request you kindly to state whether the petitioner's request may be reconsidered and is so a return may be sent to Government for approval

Yours faithfully,

31/7/56

(P PONNAPPA)
For Secretary to Government,
Education & L.S G Departments.

HGN.2/30.7.

CORPORATION OF THE CITY OF BANGALORE.

No A3/P R.1162/55-56

MYSORE GOVT. 2 7 SEP 1956 MUNICIPAL BRANCH

CORPORATION OFFICES,
BANGALORE

Dated 11th September 1956.

FROM

D R CHENNARUDRAIYA, B A, M Sc
COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,
BANGALORE

EDUCATION & L S G SECRETARIAT No 18 SEP 1956

The Secretary to the Government of Mysore,
Education and Local Self Government Departments,
BANGALORE.

SIR,

SUBJECT - Action to be taken against Ex-Corporation Advocate, Sri M.K Narayana.

Reference - Correspondence ending with your letter No. L.7579/C.M 23-55/61 dated 31st July 1956

With reference to the correspondence quoted above, I write to state that the entire correspondence was placed before the Corporation who at their meeting held on the 14th August 1956, resolved that as the Corporation has already taken a decesion by accepting Sri K. Narayana's resignation and no further action is called for the matter be dropped.

A copy of the Corporation resolution dated 14th August 1956 is enclosed for information

Yours faithfully,

(M. KRISHNAPPA)
MAYOR.

(D R.CHENNARUDRAIYA
COMMISSIONER.

VKR
11/9/56.

(21)

RESOLUTION PASSED AT THE ADJOURNED MEETING OF THE CORPORATION OF THE CITY OF BANGALORE, HELD ON THE 14TH AUGUST 1956.

SUBJECT - No.25- Letter No.L 3315/C.M.23-55-146 dated 17-5-1956 from the Secretary to Government, Education and L.S.G.Departments, that the proceedings for taking action against Sri.K. Narayana, ex-Corporation Advocate, for professional misconduct be initiated by a complaint made by the Corporation to the High Court, and also further letter No.L.7579/C.M.23-55-161 dated 31-7-1956 from the Secretary to the Government, of Mysore, Education and L.S.G. Departments, forwarding copy of the appeal petition dated 29-6-195 of Sri. K. Narayan, B.A.,LL.B., Advocate, in the matter.

Sri V.P. Deendayalu Naidu moved the following resolution -

"Resolved that as the Corporation has already taken a decision by aaccepting Sri. K. Narayana's resignation and no further action is called for, the matter be dropped.".

Sri. P.S.K. Naidu seconded the resolution and it was passed as follows -

RESOLUTION- Resolved that as the Corporation has already taken a decision by accepting Sri. K. Narayana's resignation and no further action is called for, the matter be dropped.".

- Sd/- Grace Tucker,

DEPUTY MAYOR,
Corporation of the City of Bangal
BANGALORE.

" C O P Y ",

FOR COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE

VKR
14/9/56.